



FOR IMMEDIATE RELEASE
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GLENDALE MAN CONVICTED OF CHILD PORNOGRAPHY RELATED OFFENSES

TUCSON, Ariz. -Defendant Carlos Contemplo, Age 27, of Glendale, AZ, was found guilty of Attempted Transportation and Shipping of Child Pornography and Possession of Child Pornography by a federal jury in Tucson, Arizona on September 22, 2005. The case was tried before United States District Court Judge David C. Bury from September 20th to the 22nd. Sentencing is set before Judge Bury on December 7, 2005.

Arizona United States Attorney Paul K. Charlton applauded the verdicts, saying "these cases are a priority for the United States Attorney's Office. The work that ICE and other state and federal agencies put into investigating and bringing to justice those who would victimize and exploit children is vital. I congratulate ICE on their fine work."

The evidence at trial showed that on March 11, 2004, SA Ken Rochford from ICE acting in an undercover capacity, downloaded five images of child pornography made available for sharing over the internet on a peer to peer file sharing network called "limewire.com" by a specific computer. Using identifying information, the agents traced the computer sharing those files to a residence in Glendale, Arizona. On May 25, 2004, they executed a Federal search warrant and seized the computer. They interviewed the defendant who made admissions that he ran the limewire application, looked for pornography, adult and children, and downloaded images. The only other people living at the house were the defendant's grandparents who are in their late 70's and were clearly not suspects. The first exam of the computer resulted in no images being found, but titles consistent with the titles that were downloaded were found in unallocated space, meaning that they had been deleted. The second exam of the computer, completed a week before trial, resulted in over 20 images of child pornography in unallocated space, some of which had been partially overwritten.

A conviction for Attempted Transportation and Shipping of Child Pornography carries a mandatory minimum of five years and a maximum of twenty years incarceration and the possibility of a \$250,000 fine. Possession of Child Pornography carries a maximum of ten years, a \$250,000 fine or both. By statute, the conviction will require the defendant to register as a sex offender and the defendant could be placed on supervised release for the rest of his life. In determining an actual sentence, Judge Bury will consult the U.S. Sentencing Guidelines, which provide appropriate sentencing ranges. The judge, however, is not bound by those guidelines in determining a sentence.

The investigation leading to the guilty verdict was conducted by the Bureau of Immigrations and Customs Enforcement.

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The prosecution was handled by Judson T. Mihok, Assistant U.S. Attorney, District of Arizona, Tucson, Ariz.

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